

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT COURT OF NEW YORK

Civil Action #: 2:22-cv-1319

GERALD S. OSI,

Plaintiff,

- against -

DAVID MAURICE PETERSON, SCHNEIDER  
NATIONAL CARRIERS, INC. and SCHNEIDER  
NATIONAL BULK CARRIERS, INC.,

Defendants.

**NOTICE OF  
REMOVAL**

**TRIAL BY JURY  
DEMANDED**

**TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF NEW YORK:**

Defendant SCHNEIDER NATIONAL CARRIERS, INC. i/s/h/a SCHNEIDER  
NATIONAL CARRIERS, INC. and SCHNEIDER NATIONAL BULK CARRIERS, INC  
("Moving Defendant"), by its attorneys, GOLDBERG SEGALLA, LLP, upon information and  
belief, respectfully petitions the Court, pursuant to 28 U.S.C. 1441, as follows:

Commencement of the Action

1. On or about February 18, 2022, plaintiffs filed a Complaint in a civil action for  
money damages in the Supreme Court of the State of New York, Kings County, under Index No.  
505082/2022. *See Exhibit "A"*.

2. The undersigned filed a Notice of Appearance on behalf of Defendants Schneider  
on or about March 2, 2022, a copy of which is annexed hereto as **Exhibit "B."** The undersigned's  
firm will also represent codefendant DAVID MAURICE PETERSON ("Peterson") and will  
appear on his behalf once plaintiff's counsel properly serves him with the summons and complaint.

Citizenship and Removability

3. This action is removable to this court under 28 U.S.C. Section 1441, in that the amount in controversy exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, the citizenship of the parties is completely diverse, no defendant is a citizen of New York, and this notice is filed within 30 days of defendant receiving notice of the amount in controversy.

4. The citizenship of the parties was at the time the Complaint was filed and is now completely diverse under 28 U.S.C. Section 1332(a) in that plaintiff is a citizen of New York residing at 844 Remsen Avenue, Brooklyn, New York and defendant Peterson is a citizen of the State of Ohio residing at 1229 Mound Street, Springfield, OH 45505. Schneider National Carriers, Inc. is a Nevada corporation with its principal place of business located at 3101 Packerland Drive Green Bay, Wisconsin 54306. Schneider National Bulk Carriers, Inc, is a Delaware corporation with its principle place of business located at 3101 Packerland Drive Green Bay, Wisconsin 54306.

5. Neither the Summons nor the Complaint states the amount that plaintiff demands as damages. However, on March 1, 2022, plaintiff's counsel Avraham Davidov responded by email stating that the plaintiff's damages will be in excess of the statutory amount of \$75,000. A copy of the March 1, 2022 email is annexed hereto as **Exhibit "C."**

6. This notice is timely as it is filed within thirty days of receipt of the plaintiff's written representation that damages for each plaintiff exceed \$75,000.

7. The action is removed to this court. As of the date of this notice, no proceedings have been held in Supreme Court, Kings County and no party has requested judicial intervention

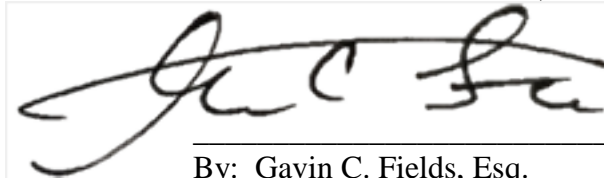
in that court. By filing this Notice of Removal, Defendant does not waive any defense which may be available to it.

**WHEREFORE** Defendants pray that the above-captioned action now pending in the Supreme Court in the State of New York, County of Kings, be removed therefrom to this Honorable Court, that this Court accept jurisdiction of this action, and that this action be placed on the docket of this Court for all further proceedings as though this action had been originally instituted in this Court.

Dated: Garden City, New York  
March 10, 2022

Respectfully submitted,

**GOLDBERG SEGALLA, LLP**

A handwritten signature in black ink, appearing to read 'Gavin C. Fields', is written over a horizontal line.

By: Gavin C. Fields, Esq.  
*Attorneys for Defendant*  
*SCHNEIDER NATIONAL CARRIERS, INC.*  
*i/s/h/a SCHNEIDER NATIONAL*  
*CARRIERS, INC. and SCHNEIDER*  
*NATIONAL BULK CARRIERS, INC.*

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**TO: OMRANI & TAUB, P.C.**  
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**DAVID MAURICE PETERSON**

*Defendant*

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